



Written by on January 29, 2010

British Inquiry Into Iraq War

Reuters news reports that former British Prime Minister Tony Blair will make a long-awaited appearance before an inquiry into the Iraq War on January 29. Britain originally sent a force of 45,000 troops to Iraq, as part of the March 2003 U.S.-led invasion that toppled Saddam Hussein.

The article quoted Anthony Seldon, a political commentator and biographer of Blair: "It's a pivotal day for him, for the British public and for Britain's moral authority in the world. This is an enormous day and it goes way beyond him and his own reputation." According to Reuters:



The decision to send 45,000 British troops to invade Iraq in 2003 was the most controversial of Blair's 10-year premiership, provoking huge protests, divisions within his Labour Party and accusations he had deceived the public over his reasons for war.

Seven years after the U.S.-led invasion to topple Saddam Hussein, and almost three years after Blair handed over to Gordon Brown, the issue still provokes anger.

The chairman of the inquiry is Sir John Chilcot, a privy council member and former British civil servant. A BBC report of January 27 noted that Chilcot and ex-Attorney General Lord Goldsmith have both called for publication of key documents related to the Iraq War, including letters between Blair and former President Bush.

A report in the British *Telegraph* headlined "[Iraq inquiry is being 'gagged' after secret documents withheld](#)" also cited both Chilcot, who complained about his "frustration" in being unable to refer to key documents while questioning Goldsmith about why he gave the "green light" for war when he was Attorney General.

The report also cited Nick Clegg, the Liberal Democrat leader, who claimed that the inability of the Chilcot team to properly question witnesses meant that it was being "gagged." Clegg charged that if secret documents relating to Tony Blair, who gives evidence on January 29, could not be discussed, the result would be a "cover-up."

A very revealing part of the *Telegraph* article summarized statements made to the inquiry by Lord Goldsmith explaining why he changed his mind about the legality of Britain's entry into the war in Iraq, noting:

During his evidence, Lord Goldsmith vigorously rejected criticism of his "integrity" and accusations that he was "leant on" by Tony Blair to change his mind about whether a second UN resolution was necessary before war would be legal.

He said that along with Mr. Straw's advice, crucial factors in winning him over had been conversations with Sir Jeremy Greenstock, Britain's ambassador to the UN, and senior members of United States President George Bush's administration.



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Jonathan Powell, Mr. Blair's chief of staff, suggested that Lord Goldsmith hold talks with Sir Jeremy, and arranged for him to visit Washington D.C., where he met Condoleezza Rice, the US Secretary of State, and senior White House lawyers.

They told him that during negotiations to pass Resolution 1441, which ordered Saddam Hussein to comply with weapons inspectors, the French privately agreed that no second resolution was necessary before war could be triggered.

Asking himself "which side of the argument" he wanted to be on, Lord Goldsmith told the inquiry that it was the key point about the French which led him finally to change his mind on February 12 — five weeks before the start of the war.

Whether or not Britain's inquiry into that nation's participation in the invasion of Iraq will uncover anything of substance remains to be seen. However, opponents to British involvement in Iraq and Afghanistan have been more outspoken (or have received more coverage in the British press) than has been the case in the United States, marking an inexplicable departure from the heavy media coverage given to the anti-war movement during the U.S. Vietnam War era. This perhaps explains the political momentum to at least ask serious questions about whether Britain's military operations were in accordance with British law.

Such serious and formal inquiry into the U.S. role in the invasions has seldom materialized. The most serious U.S. equivalent of the British inquiry into the war concluded on June 5, 2008, when the Senate Intelligence Committee, after five years of investigations, released a 170-page report accompanied by a statement from committee chairman Senator John D. Rockefeller IV (D-W.Va.): "The president and his advisers undertook a relentless public campaign in the aftermath of the [9/11] attacks to use the war against Al Qaeda as a justification for overthrowing Saddam Hussein." (See: "[Did We Get Lied Into War.](#)")

The report, however, did not provoke the public outrage that might have been expected. Americans, apparently, are so used to being lied to by their government that they typically dismiss such revelations with "what else is new?" nonchalance. Neither the aging antiwar protest veterans from the 1960s nor neocon "conservatives" supposedly committed to our Constitution have raised much of a fuss over the fact that our government basically lied us into war.

This silence has persisted, despite the fact that there was never a declaration of war authorizing military operations in Afghanistan and Iraq. Instead, the mission (initially called "Operation Enduring Freedom") was "authorized" in 2001 by United Nations Security Council Resolutions 1368 and 1378. UNSCR 1368 called on UN member states to "work together urgently to bring to justice the perpetrators, organizers, and sponsors of these attacks" and expressed "readiness to take all necessary steps to respond to the terrorist attacks of 11 September 2001, and to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations."

George Bush's Secretary of State Colin Powell, while correctly maintaining that the United States did not need UN approval to defend itself, provided an incorrect reason: "that authority ... is based on Article 51 of the U.N. Charter, which gives member states the right to self-defense." Our right to self-defense comes not from the UN Charter, but from our Constitution, which, among other things, "provide for the common defense." It is a right enjoyed by all sovereign states.

While our Constitution gives only Congress the power to declare war, President Bush did not ask for such a declaration, but instead obtained the approval of the UN and its regional affiliate, NATO. The



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North Atlantic Council invoked Article V of the NATO charter, describing the 9/11 attacks as being against the entire alliance. The UN Security Council then passed Resolution 1373, a measure drafted by the Bush administration's UN representative to authorize the "war on terrorism."

It is perhaps ironic that Britain, which has no single constitutional document comparable to ours, is examining the legality of its invasion of Iraq, while in the United States, under whose Constitution the invasion is much more problematic, demands for another such serious inquiry have come from neither politicians nor the media.

The answer may be found not only in the American media's fickle irregularity in questioning our government's expansionist foreign policy, but in the "go along to get along" mentality prevalent in our legislature. Who in Congress, for example, joined Rep. Ron Paul (R-Texas), when he, in his statement on the floor of the House on September 4, 2002, "[Arguments Against a War in Iraq](#)," noted, in part:

There is a constitutional argument and a constitutional mistake that could be made. If we once again go to war, as we have done on so many occasions since World War II, without a clear declaration of war by Congress, we blatantly violate the Constitution. I fear we will once again go to war in a haphazard way, by executive order, or even by begging permission from the rotten, anti-American United Nations. This haphazard approach, combined with a lack of clearly defined goal for victory, makes it almost inevitable that true victory will not come. So we should look at this from a constitutional perspective. Congress should assume its responsibility, because war is declared by Congress, not by a President and not by a U.N.

Photo of Sir John Chilcot: AP Images



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